

BOARD OF CODE STANDARDS AND APPEALS

MINUTES

March 6, 2006

Members: Francisco Banuelos, Randy Coonrod, Randy Harder, Richard Hartwell, Bernie Hentzen, Gerald Herzberg, Ed Murabito, Warren Willenberg, John Youle

Present: Banuelos, Coonrod, Harder, Hartwell, Hentzen, Herzberg, Murabito, Willenberg, Youle

Staff Members Present: Maria Bias, Deb Legge, Darlene Hultman, Richard Meier, Elaine Hammons

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Murabito on Monday, March 6, 2006, at 1:31 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

1. Approval of the Minutes of the January 9, 2006, meeting.

A motion was made by Board Member Hentzen to approve the minutes of the February 6, 2006, meeting as submitted. Board Member Willenberg seconded the motion. The motion carried, unopposed.

2. Approval of the March, 2006, license examination applications as follows:

There were no license examination applications for the month of March.

3. Condemnation Hearings

New Cases

1. 525 N. Mathewson

There was no one present to represent this property.

This is a one-story frame dwelling, approximately 24 X 45. It is vacant and open. The block foundation is cracking and shifting; there is rotted and missing wood lap siding; the concrete front porch is cracked and sinking. The 12 X 18 accessory building is dilapidated.

The active file was started on this property on February 9, 2004. A Notice of Improvement and a Notice of Violation to secure the property was issued on February 11, 2004. There was no response.

On March 13, 2004, Central Inspection boarded up the property at a cost of \$77.45. A violation notice was issued on June 22, 2004; no response was received. Central Inspection boarded up the property again on August 24, 2004, at a cost of \$137.72.

Board Member Harder made a motion to send the property to City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Willenberg seconded the motion. The motion carried, unopposed. (Board Member Youle was absent during this vote.)

2. 1413 E. 9th

There was no representative present for this property.

This structure is a one-story, frame dwelling, approximately 30 X 45 feet in size. It is vacant and open. The structure has a shifting and missing block foundation; there are broken and missing siding shingles; the composition roof is deteriorated; it has cracking concrete porches; there is deteriorated and missing wood trim.

Board Member Coonrod made a motion to refer the property to the City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Harder seconded the motion. The motion carried, unopposed. (Board Member Youle was absent during this vote.)

3. 1132 N. Grove

No one appeared on behalf of this property.

This is a one-story, frame duplex, approximately 30 X 57 feet in size. It has been vacant for about five years. The concrete foundation is cracking; the aluminum siding is deteriorated; the concrete front porch is cracking and has missing steps; there is also rotted wood trim.

The active case was started on this property on July 17, 2000. There was no response to the Notice of Improvements and Notice of Violations. Since the initial notice, several notices have been issued with no response. Central Inspection Staff made contact with the owner regarding keeping the structure secure. On April 14, 2004, an updated Notice of Improvements was issued. There was no response. A pre-condemnation letter was issued on March 23, 2005.

Board Member Harder made a motion to send the property to the City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Coonrod seconded the motion. The motion passed unanimously.

4. 1322 N. Chautauqua

There was no one present to represent this property.

This is a frame dwelling, one-story, approximately 30 X 47 feet in size. It is vacant and open. The structure has badly deteriorated brick veneer, with a large section collapsing; it has a deteriorated composition roof; the concrete porches are deteriorated; there is deteriorated and missing wood trim; the 12 X 24 foot accessory structure is dilapidated.

A motion was made by Board Member Hartwell to send the property to the City Council for demolition action, ten days to start and ten days to complete demolition. The motion was seconded by Board Member Hentzen. The motion was approved, unanimously.

5. 1216 N. Dellrose

No one appeared before the Board to represent this property.

This one-story, frame dwelling is 38 X 42 feet in size. Vacant and open, the structure has been badly damaged by fire. The building has fire damaged and missing vinyl siding; it has badly fire damaged rear wall members.

Board Member Banuelos made a motion to refer the property to the City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Willenberg seconded the motion. The motion passed, unopposed.

6. 2920 E. Stadium

There was no one in attendance to represent the property.

About 30 X 30 feet in size, this one-story, frame dwelling has been vacant for six years. This structure has a cracking and shifting block foundation; cracking brick veneer; deteriorated composition roof with missing shingles; deteriorated wood trim; and the 14 X 20 foot garage is dilapidated.

Board Member Hartwell made a motion to send the property to City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Youle seconded the motion. The motion carried unanimously.

7. 1735 E. McFarland

There was no one present as a representative for this property.

The structure is a one-story, frame dwelling, approximately 40 X 24 feet in size. The structure has been vacant for five years. It has a cracking block foundation; badly deteriorated composition roof; deteriorated front porch; and deteriorated attached carport.

Board Member Hentzen made a motion to refer the property to the City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Coonrod seconded the motion. The motion carried, unopposed.

8. 4940 N. Arkansas

Bob Sabolik, representing Chisholm Trail State Bank, who has a secured interest in the property, attended the hearing.

The one-story, frame dwelling is 20 X 24 feet in size. It is vacant and open with a cracking block foundation; it has rotted and missing wood siding; the wood roof is badly deteriorated with missing shingles; there are exposed and rotted rafters; there are missing windows and doors; there is missing and rotted wood trim; the interior is gutted.

The active field file was initiated on April 1, 2005. A Notice of Improvement was issued on that date; there was no response. On June 7, 2005, a Notice of Violation and a pre-condemnation letter were sent. No response was received. The taxes for 2005 are current; however, the second half of the 2004 taxes are delinquent in the amount of \$173.76. The premise condition is fair. No repairs have been made on the structure, and the gated entrance has a "No Trespassing" sign posted.

Mr. Sabolik addressed the Board, explaining that he had spoken with the owner of the property. The owner has approximately fifteen horses that she rents, all of which are housed in new barns. The electrical power is currently going through the property before the Board and the dilapidated structure will be razed once the electrical power is transferred to the new area. The owner is in the process of having the electrical work done to achieve the transfer.

Board Member Hartwell made a motion to allow thirty days to remove the structure or appear before the Board with an update on the property. Board Member Willenberg seconded the motion. The motion carried, unopposed.

4. Update on the appeal action against Mike Southard d/b/a Southard Corporation, regarding the construction of a 12 X 20 addition to the rear of the dwelling at 9302 Jamesburg.

Ms. Darlene Hultman, Interim Construction Inspector Supervisor, Central Inspection, provided an update on the appeal action first presented to the Board at the February 6, 2006, hearing.

Ms. Hultman reported that she had talked with Kelly Irvin, one of the officers of the Southard Corporation, and was told that the company was in the process of digging the holes per the engineer's instruction and had removed the deck. He expected the job to be ready for a footing inspection by the following morning by 9:00 a.m. He said he anticipated the entire job being completed no later than March 10, 2006.

Since a new permit had been obtained by Southard Corporation, and the contractor was adhering to the recommendations made by the structural engineer to alleviate the problems that had instigated the complaint, Board Member Hentzen made a motion to return the case to regular code enforcement. Board Member Youle seconded the motion. The motion passed without opposition.

5. Appeal action against Ed Glover d/b/a Glover Enterprises, Inc., regarding the construction of a carport at 2724 N. Vassar without the required permit.

Chairman Murabito asked that the Board Members and City Staff introduce themselves to Mrs. Gracy, the property owner at 2724 N. Vassar.

Ms. Hultman notified the Board that Mr. Glover had contacted Central Inspection that morning and explained that he was in Louisiana. Mr. Glover said that he had wrecked his vehicle and was unable to attend the hearing and asked that the matter be continued until the April meeting.

Board Member Youle asked if there were any life safety issues involved in the complaint. Mr. Meier indicated that, as far as he could tell from an exterior inspection, there seemed to be no life safety issues involved. Ms. Hultman asked the Board to note that Mr. Glover did not respond to any of the letters sent by the inspection staff.

Board Member Youle asked Mrs. Gracy if she had anything to say to the Board regarding the matter of the complaint against Mr. Glover. Mrs. Gracy responded that she was asked to appear regarding the complaint and that she was attending the hearing for that reason. Mr. Meier told the Board that Mrs. Gracy had been asked to attend in case the Board had any questions for her.

Board Member Hentzen inquired whether the carport was complete and the contractor paid. Mrs. Gracy said that it was complete and that she had paid Mr. Glover.

Board Member Coonrod asked if Mr. Glover had indicated whether he was willing to obtain the required permit. Mr. Meier told the Board that Mr. Glover had not responded to any of the correspondence from Central Inspection; additionally, Mr. Meier had made several attempts to contact Mr. Glover by phone and in person, without success.

Chairman Murabito asked Mrs. Gracy if the work that was performed was done to her satisfaction. Mrs. Gracy said that the work was satisfactory. Board Member Coonrod asked Mr. Meier if he saw any problem with the construction. Mr. Meier answered that he would have to withhold comment until he was able to do a more thorough inspection. Board Member Hartwell asked what would need to be done in order to allow Mr. Meier access to the areas needing inspection. Mr. Meier explained that he would need Mr. Glover to cut a crawl access into the ceiling of the carport and to excavate at least one of the piers.

A motion was made by Board Member Coonrod that Ed Glover d/b/a Glover Enterprises, Inc., be denied any future permits until he responds to the Board of Code Standards and Appeals. Board Member Herzberg seconded the motion. Board Member Hartwell asked if the motion was to direct Mr. Glover to appear before the Board or only contact Central Inspection and arrange to get the permit and inspections done for the property at 2724 N. Vassar.

Board Member Coonrod amended his motion to suspend Mr. Glover's license for thirty days, preventing him from obtaining future permits, and to direct Mr. Glover to respond to the Board of Code Standards and Appeals prior to or at the next regular hearing on April 3, 2006. Board Member Hartwell seconded the motion. The motion was approved unanimously.

The meeting was adjourned at 2:10 p.m.